

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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AUG 06 2004  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
For: McCullers  
Appl. No.: 10/809,127  
Filed: March 25, 2004  
Title: USE OF NEURAMINIDASE INHIBITORS TO PREVENT  
FLU ASSOCIATED BACTERIAL INFECTION

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT  
CITATION UNDER 37 C.F.R. § 1.97**

Attached is a Form PTO-1449 listing several documents that were first cited in the International Search Report for the corresponding International Application Number PCT/US02/29417 not more than three months prior to the filing of this Statement. In this regard, Applicant notes that the International Search Report was not received by any individual designated by 37 CFR 1.56(c) more than thirty (30) days prior to the filing of this Information Disclosure Statement.

The Search Report is enclosed. In accordance with the Office waiver published July 11, 2003, copies of the cited U.S. patents and patent application publications are not enclosed. Applicant does enclose copies of any cited foreign patent documents and non-patent literature in accordance with 37 CFR 1.98(a)(2).

It is requested that the Examiner consider these documents and officially make them of record in accordance with the provisions of 37 C.F.R. § 1.97 and Section 609 of the MPEP. By submitting the listed documents, Applicant in no way makes any admission as to the prior art status of the listed documents, but is instead submitting the listed documents for the sake of full disclosure.

Respectfully submitted,

*Kathryn L. Coulter*

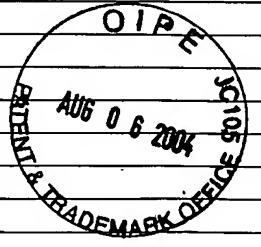
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**CERTIFICATE OF MAILING**  
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 3, 2004

*Nora C. Martinez*  
Nora C. Martinez

Substitute for form 1449/PTO (Revised 04/2003) <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i>				<b>Complete if Known</b>	
				Application Number	10/809,127
				Filing Date	March 25, 2004
				First Named Inventor	McCullers
				Group Art Unit	1617
				Examiner Name	Not Assigned
Sheet	1	of	2	Attorney Docket Number	044158/275894(5853-5)



<b>U. S. PATENT DOCUMENTS</b>					
Examiner Initials*	Cite No.	Document Number Number - Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages of Relevant Figures Appear
	1	US-5,763,483 A	06-09-1998	Bischofberger et al.	

<b>FOREIGN PATENT DOCUMENTS</b>						
Examiner Initials	Cite No.	Foreign Patent Document Country Code - Number Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	English Language Translation Attached
	2	WO 01/38313 A1	05-31-2001	Smithkline Beecham Corporation	Pg 17, Line 32 thru Pg 18, Line 17; Pg 18, Lines 25- 30; Page 22, Line 36 thru Pg 23, Line 6; Claims 12, 13 and 20	

<b>OTHER DOCUMENTS</b>						
Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.				English Language Translation Attached
	3	COLACINO, J.M., et al., "Approaches and Strategies for the Treatment of Influenza Virus Infections," <i>Antiviral Chemistry and Chemotherapy</i> , Abstract, July 1999, pp. 155-85, Vol. 10, No. 4, England: United Kingdom				
	4	DANIEL, M.J. et al., "The Low Potential for Drug Interactions with Zanamivir," Abstract, September 1999, pp. 41-50, Vol. 36, Suppl. 1, New Zealand				
	5	HAYDEN, F.G., et al., "Efficacy and Safety of the Neuraminidase Inhibitor Zanamivir in the Treatment of Influenzavirus Infections," Abstract, <i>New England Journal of Medicine</i> , 1997, pp. 874-880, Vol. 337, No. 13				
	6	HAYDEN, F.G., "Influenza Virus and Rhinovirus-related Otitis Media: Potential for Antiviral Intervention," Abstract, <i>Vaccine</i> , 2000, pp. S66-S70, Vol. 19, Suppl. 1				

Examiner Signature		Date Considered	
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\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<p>Substitute for form 1449/PTO (Revised 04/2003)</p> <p><b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(Use as many sheets as necessary)</i></p>				<b>Complete if Known</b>	
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<b>OTHER DOCUMENTS</b>				
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	7	KAISER, L., et al., "Impact of Zanamivir on Antibiotic Use for Respiratory Events Following Acute Influenza in Adolescents and Adults," Abstract, <i>Archives of Internal Medicine</i> , 2000, pp. 3234-3240, Vol. 160, No. 21		
	8	McCULLERS, J.A., and J.E. REHG, "Lethal Synergism Between Influenza Virus and Streptococcus Pneumoniae: Characterization of a Mouse Model and the Role of Platelet-Activating Factor Receptor," Abstract, <i>Journal of Infectious Diseases</i> , 2002, pp. 342-350, Vol. 186, No. 3		
	9	TREANOR, J., and D. FLEMING, "Respiratory Viruses," Abstract, <i>Practical Guidelines in Antiviral Therapy</i> , 2000, pp. 223-256, Editor: Boucher, Charles A.B., Elsevier Science B.V., Amsterdam, Neth.		

RTA01/2159867v1

Examiner Signature		Date Considered	
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